

**Supreme Judicial Court Rule 4:02**  
**PERIODIC REGISTRATION OF ATTORNEYS**

**(1) Registration Statement Required.** Every attorney admitted to, or engaging in, the practice of law in this Commonwealth, within three months of becoming subject to this chapter and annually thereafter, shall file with the Board a registration statement setting forth his or her current residence and office addresses, and such other information as this court may from time to time direct, including the date of his or her admission to the bar of this court and of each admission to practice in each other jurisdiction, including each Federal court and each administrative body. The statement shall disclose whether the attorney is in good standing in each such jurisdiction, and, if not in good standing in any jurisdiction, it shall contain an explanation of the circumstances. The Board may adopt rules and regulations establishing a system of staggered annual registrations, and in order to implement such a system may provide for a transition period during which different attorneys may be required to file registration statements at different times and with different expiration dates, so that thereafter all annual registrations will not expire on the same date. In addition to such registration statement, every attorney shall file a supplemental statement of any change in the information previously submitted within thirty days of such change. Within twenty days of the receipt of a registration statement or supplement thereto filed by an attorney, the Board shall acknowledge receipt thereof in order to enable the attorney on request to demonstrate compliance with the requirement of this rule.

**(1A) Foreign Legal Consultants.** Every person licensed to practice in this Commonwealth as a foreign legal consultant pursuant to Rule 3:05, within three months of becoming subject to this chapter and annually thereafter, shall file with the Board a registration statement setting forth his or her current residence and office addresses, and such other information as this court may from time to time direct, including the date of his or her license to practice as a foreign legal consultant and of each admission to practice in each other jurisdiction including each foreign court. The original statement and each annual statement shall provide a document establishing that the foreign legal consultant is in good standing in each such jurisdiction, and, if not in good standing in any jurisdiction, it shall contain an explanation of the circumstances. In addition to such registration statement, every foreign legal consultant shall file a supplemental statement of any change in the information previously submitted within thirty days of such change. Foreign

legal consultants shall be subject to the provisions of Rule 4:03 and subsections (2), (3), (4), and (5) of this Rule.

**(2) Designation of IOLTA Account.** Each attorney shall, as part of the annual filing required by subsection (1) of this rule and on forms provided by the Board for this purpose, specify the name, account number and depository of his or her IOLTA account. The Board shall transmit information regarding attorneys' IOLTA accounts to the Supreme Judicial Court and to the IOLTA Committee established by the Court.

**(3) Failure to File.** Any attorney who fails to file the statement or any supplement thereto in accordance with the requirements of subsections (1), (1A), and (2) above shall be subject to suspension in accordance with the procedures set forth in Rule 4:03.

**(4) Inactive Status.**

(a) Any attorney may advise the Board in writing that he or she desires to assume inactive status and to discontinue the practice of law in this Commonwealth. Upon the filing of such notice, the attorney shall continue to file annual registration statements for as long as he or she remains on inactive status, but shall no longer be eligible to practice law in this Commonwealth, except to provide pro bono publico legal services in accordance with Rule 4:02(8)(a). Any inactive attorney shall pay the fee imposed pursuant to Rule 4:03 for inactive attorneys.

(b) Upon the filing of a notice that he or she wishes to assume inactive status, an attorney shall be removed from the rolls of those classified as active until and unless he or she requests reinstatement to the active rolls and pays for the year of reinstatement the fee imposed pursuant to Rule 4:03 for active attorneys.

**(5) Retirement.**

(a) Any attorney may advise the Board in writing that he or she desires to retire from the bar and to discontinue the practice of law in this Commonwealth. Upon the filing of such notice, the attorney shall no longer be eligible to practice law in this Commonwealth but shall continue to file registration statements for three years thereafter in order that he or she can be located in the event complaints are made about his or her conduct while he or she was engaged in practice in this Commonwealth. A retired attorney may provide pro bono publico legal services in

accordance with Rule 4:02(8)(b). A retired attorney providing such services shall file annual registration statements as provided in that Rule. Any retired attorney will be relieved from the payment of the fees imposed pursuant to Rule 4:03.

(b) Upon the filing of a notice that he or she wishes to retire from the bar, an attorney shall be removed from the rolls of those classified as active until and unless he or she requests reinstatement to the active rolls and pays the fee imposed pursuant to Rule 4:03 for active attorneys for each of the years during which he or she was retired from the bar.

#### **(6) Judicial Status.**

(a) Any attorney who sits as a judge of any state or Federal court may advise the Board in writing that he or she is a sitting judge and desires to discontinue the practice of law in this Commonwealth. Upon the filing of such a notice, the attorney will be placed on judicial status and will be relieved from the payment of the fees imposed pursuant to Rule 4:03.

(b) Upon the filing of a notice that he or she has left the bench and wishes to be reinstated to the active rolls and upon payment for the year of reinstatement of the fee imposed pursuant to Rule 4:03 for active attorneys, an attorney on judicial status shall be so reinstated.

#### **(7) Clerk Status.**

(a) Any "clerk-magistrate," as defined in Canon 1 of Supreme Judicial Court Rule 3:12, and any Federal clerk of court, chief deputy clerk and deputy clerk may advise the Board in writing that he or she is a clerk. Upon the filing of such a notice, the attorney will be placed on clerk status and will be relieved from the payment of the fees imposed pursuant to Rule 4:03.

(b) Upon the filing of a notice that he or she is no longer a clerk and wishes to be reinstated to the active rolls and upon payment for the year of reinstatement of the fee imposed pursuant to Rule 4:03 for active attorneys, an attorney on clerk status shall be so reinstated.

#### **(8) Pro Bono Status.**

(a) Any attorney admitted to the practice of law in the

Commonwealth who has assumed inactive status in accordance with Rule 4:02(4) but who wishes to provide pro bono publico legal services without compensation or expectation of compensation as described in Rule 6.1 of the Massachusetts Rules of Professional Conduct (S.J.C. Rule 3:07) may advise the Board by filing an appropriate annual registration statement that he or she will limit his or her legal practice to providing pro bono publico legal services under the auspices of an approved legal services organization, as defined below. The annual registration statement shall indicate whether the attorney is, or was at the time he or she assumed inactive status, the subject of any pending grievance or disciplinary charge and shall be signed by an authorized representative of the approved legal services organization under whose auspices the attorney will provide services. Unless the Board of Bar Overseers objects, the attorney may begin providing pro bono services after filing such a statement.

(b) Any attorney admitted to the practice of law in the Commonwealth who has retired from the bar and discontinued the practice of law in this Commonwealth in accordance with Rule 4:02(5) may advise the Board by filing an appropriate annual registration statement that he or she will limit his or her legal practice to providing pro bono publico legal services without compensation or expectation of compensation as described in Rule 6.1 of the Massachusetts Rules of Professional Conduct (S.J.C. Rule 3:07) under the auspices of an approved legal services organization, as defined below. The annual registration statement shall indicate whether the attorney is, or was at the time he or she retired, the subject of any pending grievance or disciplinary charge and shall be signed by an authorized representative of an approved legal services organization under whose auspices the attorney will provide services. Unless the Board of Bar Overseers objects, the attorney may begin providing pro bono services after filing such a statement.

(c) For purposes of this Rule, an approved legal services organization shall include a pro bono publico legal services program sponsored by a court-annexed program, a bar association, a Massachusetts law school, or a not-for-profit organization that provides legal services to persons of limited means and that receives funding from the federal Legal Services Corporation, the Massachusetts Legal Assistance Corporation, the Massachusetts Bar Foundation, the Boston Bar Foundation, or the Women's Bar Foundation, and in addition, shall include any not-for-profit legal services organization designated as an approved legal services organization after petition to the Supreme Judicial Court.